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SUBJECT: Jamaica: PM Golding concerned Justice System will Collapse

¶1. (SBU) Summary: Prime Minister Bruce Golding, was briefed on a USAID-sponsored assessment of the impact of Corruption in Jamaica on July 29. Golding has asked for a follow on meeting in three weeks with principal stakeholders, namely Customs, Police, Finance, National Security, Attorney and Solicitor Generals to examine the specific areas of concern identified by the USAID-sponsored final report. In the interim, Post's Expanded Law Enforcement Working Group will meet to review and discuss the recommendations of the USAID-sponsored corruption assessment with a view to presenting potential areas for providing USG assistance to the GOJ and its efforts to fight crime and corruption. End Summary.

Background

¶2. (SBU) The USAID-sponsored corruption assessment provided the Ambassador, DCM and Expanded Law Enforcement Working Group (DEA, ICE, NAS, P/E, RSO, and USMS) with an interim briefing of its findings on July 9. Based on her view that it was critical for our international partners to also have the benefit of the team's conclusions, Ambassador Johnson arranged a similar briefing with the UK and Canadian High Commissioners. While it is well known that corruption is a problem at all levels in Jamaican Society, we were collectively troubled enough with the team's conclusions and their sense that something BIG needs to happen soon or the current government will lose public support, that Ambassador Johnson arranged a follow on meeting with Prime Minister Golding on July 29.

USAID Acting Mission Director and NAS Director participated in the assessment de-brief with the Prime Minister.

¶3. (SBU) The USAID-sponsored team was made of up two U.S. members of Management Systems International (MSI), and one Jamaican partner, Dr. Trevor Munroe, former Senator and well-respected Professor at the University of the West Indies. The team met with a broad range of stakeholders, including key Cabinet members (Security, Justice, Finance), as well as the Commissioners of Customs and Police, the Chief Justice, Director of the Office of Public Prosecution (DPP) and Civil Society.

¶4. (SBU) The following is a list of some broad conclusions that they shared with the Prime Minister:

-- for the first time Jamaica has a handful of key people in positions of power to do something about corruption (Commissioners of Customs, Police, Assistant Commissioner of Police for Anti-Corruption, DPP, Chief Justice, Ministers of Finance, Justice and National Security). The PM supported the recommendation from USAID's Anti-Corruption assessment team to convene a series of 'National Integrity Roundtable' through University of West Indies Center for Governance;

--these key personnel understand the danger they are in if they act, yet, they are fearless;

-- fearless as they may be, they all feel isolated, and are seeking political leadership from the Prime Minister;

-- the public at large understands that political, large-scale corruption is CORRUPTION, but does not make the connection that their actions, such as to bribe a police officer to get out of a traffic ticket, actually are CORRUPTION, and that these numerous acts of petty corruption help to breed an environment where corruption is tolerated at all levels;

--a need for public engagement on corruption (not top-down media campaigns) but community-focused programs that people relate to and support;

-- to not lose the confidence of the Jamaican public and the above key crime fighting personnel, the government has to go after the "Big Fish," a large business, a high-ranking police officer, a politician, and it cannot be politically motivated, e.g., just opposition members. (Note: In a step toward actualization of this conclusion, on July 31 senior Assistant Superintendent of Police Harry "Bungles" Daley was arrested in a "sting" operation and charged with breaches of the Corruption Prevention Act; Post will provide further report via septel.)

¶ 15. (SBU) Prime Minister Golding was very receptive to the comments made by the team. He admitted that the weakest link for the whole country is its justice system -"Our criminal justice system is in danger of collapsing." He is deeply aware of the problems his government faces with corruption and shared anecdotes about his own personal interventions over the last nine months of his tenure as Prime Minister: direct intervention to prevent corruption in contracting; counseling of party members regarding public corruption; and, having to get personally involved in witness protection cases to gain agreement from the witness to testify.

¶ 16. (SBU) He also outlined some of the hurdles that the government continues to face. One example Golding cited had to do with corruption in public contracts. In 2007, Golding's government tightened up the issuance of public contracts to prevent past practices of the granting of contracts to criminal dons. Golding told the team about one contract for USD \$12-15 million that was let through a properly run competitive process. However, in classic mafia style, on the contractor's first day on the job, the local Don showed up to explain "how things really work in Jamaica, and replaced the contractor with his people." The contractor decided that it was not worth his life or the future of his business to protest and so he simply privately sub-contracted all the work to the Don, retaining all the liability for himself. The sub-contract went "unnoticed," until Golding himself visited the job site and saw "familiar faces" among the workers and started asking questions.

¶ 17. (SBU) Golding was engaged during the presentation and interrupted the team members throughout peppering them with questions and interjecting anecdotes of his own, he clearly knows of all the problems outlined. His comments and many questions were focused on finding short-term politically viable solutions. He has requested a follow-up meeting with the Attorney General and Solicitor General to discuss constitutional ways in which the Government of Jamaica can unshackle its law enforcement and prosecutorial staff to better fight crime and corruption. NAS will work closely with USAID to prepare concrete proposals for this follow-on meeting.

JOHNSON